



and Delivered March 20, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of :

GILBERT, C.F.G., *et al.*

Serial No.: 09/769,787

Filed: January 26, 2001

Examiner: Baskar, P.

Group Art Unit: 1645

For: NUCLEIC ACIDS AND PROTEINS FROM STREPTOCOCCUS PNEUMONIAE

Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office

Washington, D.C. 20231

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Response to Office Action and Restriction Requirement (Paper No. 11)

Sir,

Responsive to the non-final office action (the restriction requirement) mailed September 20, 2002, please consider the following remarks and formal election. A petition for a three (3) month extension of time with the requisite fee is filed herewith, and it is believed that no further fees are required. However, the Commissioner is hereby authorized to charge fees under 37 C.F.R. §§ 1.16 and 1.17 (except the Issue Fee) which may be required now or hereafter, or credit any overpayment, to Deposit Account No. 50-0206.

Please enter the following amendments in the subject application.

IN THE CLAIMS:

Please rewrite claim 20 to contain the following amendments. A marked-up version showing changes made to claim 20 is contained herewith as Appendix A.

20. (Amended) A method for treatment or prophylaxis of *S. pneumoniae* infection comprising administering to a patient in need thereof an agent capable of antagonizing, inhibiting or otherwise interfering with the function or expression of a protein or polypeptide